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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/740,744	12/19/2003	Lee G. Friedman	030563	4919
38516	7590	06/23/2008	EXAMINER	
SCOTT P. ZIMMERMAN, PLLC			TRAN, TUYETLIEN T	
PO BOX 3822			ART UNIT	PAPER NUMBER
CARY, NC 27519			2179	
			MAIL DATE	DELIVERY MODE
			06/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action After the Filing of an Appeal Brief	Application No. 10/740,744 Examiner TUYETLIEN T. TRAN	Applicant(s) FRIEDMAN, LEE G. Art Unit 2179
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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 06 June 2008 is acknowledged.

1. The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:
 - a. The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).
 - b. The affidavit or other evidence is not timely filed before the filing of an appeal brief. See 37 CFR 41.33(d)(2).
 2. The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.
- Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).
3. The reply is entered. An explanation of the status of the claims after entry is below or attached.
 4. Other: The reply brief filed 06/06/2008 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Status of Claims: Claims 1-23 are rejected and appealed.

/Weilun Lo/
Supervisory Patent Examiner, Art Unit 2179